THE HON'BLE MR JUSTICE GODA RAGHURAM

–

WRIT PETITION NO :4908 of 2006

DATED 21-03-2006

Between:

K.Venkateswarlu

… Petitioner

and

The Sub Registrar of Assurances and another

… Respondents

THE HON'BLE MR JUSTICE GODA RAGHURAM

–

WRIT PETITION NO : 4908 of 2006

ORAL ORDER:

Learned counsel for the respective parties including the learned Government Pleader for Revenue are agreed that the issues involved in this writ petition are covered by the Judgment of this Court in W.P.No.3347 of 2006.

The petitioner applied for a valuation certificate to the first respondent in respect of property in an extent of Ac.1.00 in Survey No.986/3C, North Addanki, Addanki Village and Mandal, Prakasam District for an assessment of the stamp duty and Registration Fee for having registration of the sale deed of the property. By the endorsement impugned dated 06.03.2006 the first respondent intimated the petitioner that the land in Survey No.986/3C, North Addanki, Addanki Village and Mandal is situated in the urban area and as per the letter given by the Executive Officer, Kamateswara Swamy Temple, Addanki an extent of Ac.12.50 cents in Survey No.986 belongs to the said temple, and that in these circumstances, a no objection certificate is required for registration of the lands said to have been purchased by the petitioner and that a no objection certificate should be obtained from the Executive Officer, Kamateswara Swamy Temple, Addanki.

Apparently the first respondent is indirectly trying to settle title disputes, an aspect outside his domain. The first respondent should not be oblivious to the fact that as a registering authority, the extent of his jurisdiction and its limits are to found within the contours of the Registration Act, 1908.

In view of the decision of this Court in W.P.No.3347 of 2006, the writ petition is allowed. The first respondent is directed to forthwith process the petitioner's application for issuance of a valuation certificate. The first respondent shall issue the valuation certificate to the petitioner ignoring his earlier endorsement dated 06.03.2006 expeditiously and in any event, within a period of two weeks from the date of receipt of a copy of this order. No costs.

GODA RAGHURAM,J

Dated: 21-03-2006

kvrm